

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

HAPPY MOSHA,	)	
	)	No. 08 C 1104
Plaintiff,	)	
	)	Judge Gottschall
vs.	)	
	)	Magistrate Judge Arlander Keys
CHICAGO POLICE OFFICERS M.	)	
PINZINE (#3366), R. DURAN (#15514),	)	Jury Demand
M. BARTZ (#16315), T. COLVELLI	)	
(#15028), SGT. MARK FOREST (#1935),	)	
and the CITY OF CHICAGO,	)	
	)	
Defendants.	)	

**DEFENDANTS' JOINT MOTION FOR ENTRY  
OF QUALIFIED HIPAA PROTECTIVE ORDER**

Defendants, Officer Covelli, Officer Bartz, Sergeant Forrest, Officer Pinzine and Officer (jointly referred to herein as "Individual Defendant Officers"), by and through their attorney Christopher A. Wallace, Assistant Corporation Counsel of the City of Chicago, and Defendant City of Chicago, by and through its attorney Mara S. Georges, Corporation Counsel, (collectively referred to hereinafter as "Defendants") respectfully move this Honorable Court, pursuant to Fed.R.Civ.P. 26(c) and 45 C.F.R. §§ 160 and 164, for entry of the attached "Agreed Qualified HIPAA Protective Order."

In support thereof, the Defendants state as follows:

1. Defendants anticipate that documents pertaining to the parties and non-parties may be sought and produced in this matter, particularly medical information covered by the Health Insurance Portability and Accountability Act.

2. Medical information is protected by the Health Insurance Portability and Accountability Act of 1996, codified primarily at 18, 26 and 42 U.S.C. (2002). The "Privacy Standards" for such information is found at 45 C.F.R. §§ 160 and 164 (2000).

3. Defendants' proposed "Qualified HIPAA Protective Order," attached hereto as Exhibit A, prohibits use of medical information covered by the Health Insurance Portability and Accountability Act. Such an order would ensure the protection of such information, consistent with the principles of federal and Illinois law. This order will also protect against improper dissemination of confidential information and unfairness in the trial process.

4. No prejudice to plaintiff will result by entry of this order. Defendants have made efforts to have the attached order agreed to by Plaintiff's counsel but have been unsuccessful.

**WHEREFORE**, Defendants respectfully request that this Court enter the attached "Qualified HIPAA Protective Order" in this matter.

Dated: July 18, 2008

Respectfully submitted,

Officer Pinzine  
Officer Duran  
Officer Bartz  
Officer Covelli  
Sgt. Forrest

By: /s/ Christopher A. Wallace  
Christopher A. Wallace

Assistant Corporation Counsel  
*Attorney for Individual Defendants*

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**CERTIFICATE OF SERVICE**

I, Christopher Wallace, hereby certify that on July 16, 2008, I caused a copy of the foregoing Motion to be served upon all counsel of record by filing the same before the Court via the Court's ECF system.

/s/ Christopher Wallace  
Christopher Wallace